THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17158 of 1997

Dated: 30-08-2006

Between:

Smt. Sufia Begum and two others.

..... PETITIONERS

AND

The Mandal Revenue Officer, Marpally Mandal, and seven others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.17158 of 1997

ORDER:

The three petitioners filed the instant writ petition aggrieved by the order/proceedings of first respondent, namely, Mandal Revenue Officer(MRO), Marpally Mandal, dated 13-03-1996 in Form - XIII (B) regularizing the occupation/purchase in favour of second respondent herein in relation to land admeasuring Acs.17.21 guntas in survey No.54 and Acs.14.24 guntas in survey No.60 situated at Gundla Marpally Village of Marpally Mandal in Ranga Reddy District. The petitioners claimed to be the legal heirs of one Osman Ali, who was the pattadar of subject land. They allege that in 1997, they came to know about the impugned order/proceedings of MRO dated 13-03-1996 regularizing the sale in favour of second respondent. Contending that the same is vitiated by violation of the principles of natural justice and illegality, the present writ petition is filed seeking invalidation said proceedings.

At the time of hearing of the matter, the learned counsel for the respondents 2 to 7 has brought to the notice of this Court that eighth respondent herein filed an appeal in Case No.C/1432 of 1997 before the Revenue Divisional Officer, Vikarabad, against the order/proceedings of MRO dated 13-03-1996 showing third respondent and others as respondents. He also submits that the three petitioners herein filed an application in July, 1997 seeking to implead them as respondents in said appeal and that the appeal is still pending. Though it is a subsequent event, the same was not brought to the notice of this Court. Be that as it is, as there is appeal filed against the impugned order/proceedings, it would not be proper for this Court to adjudicate the matter. It is open to the petitioners to raise all the grounds raised in this writ petition before the Appellate Authority, namely, Revenue Divisional Officer, Vikarabad.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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V.V.S.RAO, J

30th August, 2006

ghn